

## **ATTACHMENT A**

\* \* \* \* \*

COMMONWEALTH OF MASSACHUSETTS, \* Docket No. 1820CR001589

Plaintiff, \*

V. \*

MATTHEW E. CRANE, \*

Defendant. \*

\* \* \* \* \*

APPEARANCES:

Chicopee, Massachusetts  
January 30, 2020

Proceedings recorded by electronic sound  
recording, transcript produced by transcription service.  
AEQUUM LEGAL TRANSCRIPTION SERVICES  
480-241-2841

INDEX  
January 30, 2020

THE COURT:	PAGE:
Commonwealth's Opening Statement	81
Defendant's Opening Statement	85
Defendant's Closing Argument	184
Commonwealth's Closing Argument	187
Verdict	212

WITNESSES:

FOR THE PLAINTIFF:

JOSEPH KOZLOWSKI

Direct Examination by Ms. Wright	87
Cross-examination by Mr. McLane	112
Redirect Examination by Ms. Wright	121
Recross-Examination by Mr. McLane	122

ERIC ORTIZ

Direct Examination by Ms. Wright	124
Cross-examination by Mr. McLane	143
Redirect Examination by Ms. Wright	146

MICKY DUMAIS

Direct Examination by Ms. Wright	148
----------------------------------	-----

ROSS DOMINGOS

Direct Examination by Ms. Wright	154
Cross-examination by Mr. McLane	158
Redirect Examination by Ms. Wright	161

EXHIBITS:	MARKED	ADMITTED
FOR THE PLAINTIFF:		
Exhibit # 1	107	
Exhibit # 2	110	
Exhibit # 3	110	
Exhibit # 4	163	163

FOR THE DEFENDANT:

None

1 Q And where do you work?

2 A Chicopee Police Department.

3 Q And how long have you worked with the Chicopee PD?

4 A Just under four years.

5 Q And in a particular division?

6 A Patrol. Uniform patrol.

7 Q Okay. And how long have you -- and has that been  
8 throughout your entire time?

9 A It's been throughout the entire time.

10 Q Okay. And what hours do you currently work with the  
11 Chicopee PD?

12 A Right now, I'm assigned to midnight to 8 a.m.

13 Q Okay. And now, did you -- by the way, did you have  
14 training and experience in regards to becoming a Chicopee police  
15 officer?

16 A I did, ma'am.

17 Q Okay. Now, I'm going to take you to October 6th of 2018.  
18 What hours were you working then?

19 A Midnight to 8.

20 Q Were you involved in an investigation regarding a Matthew  
21 Crane?

22 A I was.

23 Q Okay. And if you could tell the Court what -- how you came  
24 to be involved in that investigation?

25 A I was patrolling Chicopee, and I heard a patrol officer

1 call out a motor -- a motorcycle crash.

2 Q Uh-huh.

3 A And he was requesting an ambulance, so since I was not too  
4 far away, I made my way to help it -- help him with the scene.

5 Q Okay. And when you arrived on scene, what did you first  
6 do?

7 A I exited my cruiser, and I ran over to where Officer  
8 Kozlowski was, because he was in a scuffle.

9 Q And who was he in a scuffle with?

10 A The defendant, ma'am.

11 Q Okay. And was there anybody else -- when Officer Kozlowski  
12 was in the scuffle, was there another officer involved at the  
13 time?

14 A Officer Burnell (phonetic) was also there.

15 Q Okay. And what was Officer Burnell -- what did you see him  
16 doing?

17 A He was also going to assist Officer Kozlowski.

18 Q Okay. And what did you do in part of assisting Officer  
19 Kozlowski in dealing with the defendant?

20 A By the time I got to Officer Kozlowski, he had the  
21 defendant somewhat under control. There was still a concern for  
22 medical for the defendant. And medical was arriving right  
23 behind me, so we started sitting the defendant up to get medical  
24 attention.

25 Q Okay. And, by the way, when you said that you saw that

1 Officer Kozlowski was in a scuffle with the defendant, if you  
2 can describe what that means?

3 A I saw him trying to pin the defendant down onto the ground.

4 Q Okay. All right. Now, what did you do next? After you  
5 assisted with ensuring that the defendant was under control,  
6 what did you do next?

7 A We were trying to sit the defendant up so medical could  
8 assess him. He was just -- we saw the motorcycle on the ground.  
9 We didn't know his injuries at the time. We were concerned for  
10 his safety and his wellbeing.

11 Q Okay. And did anything happen while that -- while you were  
12 trying to get him under control?

13 A He stated that he had to pee --

14 Q Okay.

15 A -- and tried to pull away from Officer Kozlowski and  
16 myself.

17 Q Okay. And then what happened after that?

18 A We held his arms, trying to gain control. We told him that  
19 he couldn't go. He continued to try to pull away, which we had  
20 to take him down to the ground.

21 Q Okay. And did you explain to him why he couldn't go at  
22 that time?

23 A We were trying to get him to seek medical attention. We  
24 also said he couldn't pee in public.

25 Q Okay. And what happened next after that?

1 A I heard Firefighter Domingos --

2 MR. MCLANE: Objection.

3 THE COURT: Sustained.

4 MS. WRIGHT: Okay.

5 BY MS. WRIGHT:

6 Q Without saying what someone said, what was the next  
7 thing -- did you -- what was the next thing you recall doing?

8 A We ended up handcuffing the defendant.

9 Q Okay. And why was that?

10 A Because there was a gun on scene.

11 Q Okay. And I'm going to show you what's been previously  
12 marked as Commonwealth's Exhibit Number 1 and ask if you would  
13 just please take a look at that. Is that a gun that you own?

14 A No, ma'am.

15 Q Is that a gun that was issued to you by the Chicopee Police  
16 Department?

17 A No, ma'am.

18 Q Is that a gun that would be issued to anyone -- any officer  
19 in the Chicopee Police Department?

20 A No, ma'am.

21 Q And is it fair to say that that gun looks like the gun that  
22 was on -- found on the scene that day?

23 A I can't say that. I didn't see -- I didn't personally see  
24 the gun.

25 Q Okay. Okay. But you can say it's not your gun? It's